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H – 1002

International Court of Justice

H1002 - 0002

Grauert

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

29 June 1946

COMMISSIONER:

Captain Joseph Tubridy.

THE S.S.

(THE COMMISSION CONVENED AT 1140 HOURS.)

LUDWIG GRAUERT, a witness, took the stand and testified as follows:

BY THE COMMISSIONER:

Q What is your full name?

A Ludwig Grauert.

Q Will you raise your right hand and repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE COMMISSIONER: You may be seated.

DR. PELCKMANN: The witness has been called to testify on the following: 1), Did the Allgemeine or Regular SS have any criminal tendencies, especially between the years 1933 and 1936; 2), What organizational connection was there between the SS, the Gestapo and the SD; 3), Is it possible that the SS might be accused of crimes carried out by the SD and the Gestapo; 4), What was the relation between the Regular SS and the Waffen-SS; 5), Did the higher leaders of the Regular SS have any knowledge of criminal actions during the war?

CAPTAIN TUBRIDY: Dr. Pelckmann, before we start, is there going to be any real essential difference between what has been shown by the Prosecution and what you intend to show in connection with the relationship between the SS

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the SD and the Gestapo?

DR. PELCKMANN: I want to prove that the Allgemeine or Regular SS did not have any connection with the SD and Gestapo such as is maintained by the Prosecution. I want to prove that at least as far as the time is concerned when the witness was active.

CAPTAIN TUBRIDY: Very well.

DIRECT EXAMINATION

BY DR. PELCKMANN:

Q Witness, what was your position in the Prussian Ministry of the Interior, when did you receive it and how did you receive it?

A After Hitler had formed the Government there was a constant friction between the various guard organizations and the various parties, especially between the SA and SS on one hand and on the other hand the Rodtfront and the Reichsbanner. The reason for this was the forbidding or prohibiting of the SA and also, in 1934, the voting thereafter. In the first half of February 1933 I was given a job of bringing about law and order again and was given a position as Chief of Police in the Prussian Ministry of the Interior and also ~~giving~~ given the rank of Ministerial Director.

Q Was the SS and SA prohibited in the Weimar Republic and how long?

A The SA and SS were prohibited in April 1932, upon the order of the Reichswehr Minister (Minister of the Army.) This order left a very strong friction with the SS and SA. I was in Berlin at that time and I could see that even in Berlin in the government circles there were different opinions concerning this order. On the one hand they called them political martyrs and on the other hand, since the NSDAP itself was not prohibited, it was regarded as useless. It was rescinded in June of 1932 by von Papen's Cabinet.

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DR. KEMPNER: I object to this line of questioning. We already have the story ten times in the records of the Tribunal and this Commission that the SA was prohibited and all these things.

CAPTAIN TUBRIDY: Dr. Pelckmann, could we eliminate testimony on ground which has been covered before?

DR. PELCKMANN: I will not continue this subject further. However, it was necessary in order to answer some of my later questions. I will now go over to more concrete evidence.

CAPTAIN TUBRIDY: It is in the Record. I think we can assume that everyone knows it is in the Record and we can continue on that basis.

DR. PELCKMANN: I only want to point out that this witness saw it from another point of view, a point which has been accepted in discussions among the Commission that this kind of evidence therefore was not irrelevant and cumulative.

BY DR. PELCKMANN:

Q Were any criminal actions by the SA and possibly ~~kkk~~ by the SS during the year 1933 until June 1934 the result of criminal goals of the organization and upon the orders of their superiors.

A No.

Q What were the reasons according to the experience you had at that time?

A The SA believed that friction which had been caused, as I already stated, before Hitler's rise to power, the SA considered it possible that they now could equal their political score. Such was the opinion of the SA as I found out in discussions at that time with SA Gruppenfuehrer Graf Heldorf. But probably the biggest reason was the extensive mistrust against the Police in Berlin and in all of Prussia. I don't want to give my opinion as to whether

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this mistrust was right or not but I had to account with that fact in any case. In addition to that, right after Hitler's rise to power there was the great enlargement of the membership of the SA and SS. At that time a great number of people were taken into the SA and into the SS without having their political backgrounds checked and without any further examination. They were to a large extent unemployed and lowermembers of the Communist and Socialist Parties, who in this way hid themselves within the ranks of the SA. I know two special cases at that time. The Soviet Star was found under the uniforms of several SA members in Bremen...

CAPTAIN TUBRIDY: I think we can eliminate these minor details.

DR. PELCKMANN: Witness, please continue without these details.

A Therefore, in conversation at that time with the Chief of Staff Roehm, we were not interested in how to educate the SA to criminals but rather how to bring these men who had been torn internally between two cliques towards the State again.

Q Did you at that time, in connection with Roehm who also at that time was Chief of the SS, bring about any measures against any kind of unauthorized actions and unauthorized arrests?

A It was my duty to remove the mistrust against the Prussian Police as fast as possible. I could have relieved quite a number of policemen of their duty but I did not do this. I attempted to find a different solution together with Chief of Staff Roehm. First I handed out a decree that SA and SS could be used as auxiliary police. They had to wear white armbands; they were used daily and could only operate under the command of a regular police officer. Secondly, I placed in posts of Police President those SA and SS men whom I considered the right men for this job and thirdly, I

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created the so-called Field Gendarmerie, which was under the command of a former police officer and later SA Standartenfuehrer Fritsch, which consisted of SA and SS officers. I want to give the value of these measures now that I look back upon them, through some examples. I did not use the auxiliary police any more after a short time. The SA and SS Gruppenfuehrer carried out their duties as police officers exceedingly well for the most part during that time. Where they did not carry out their duties successfully they were removed, with the approval of Roehm, not only from their posts as police officers but also from their posts as SA and SS officers. I remember the case of the SS Oberfuehrer and police president Engel and also the case of SA Brigadefuehrer Veller who was police president in Elberfeldt. Especially successful was the Field Gendarmerie. In cooperation with them we cleared the SA Bunker in Hedemanstrasse in Berlin - a bunker in which persons illegally xx arrested were being held and mistreated. I remember one further special case in the area of Koblenz in the small town of Maien. In that town members of political opposition were xx arrested and held by the SA or the SS, I do not know which of the two organizations. Together with the Chief State Attorney in Berlin I had 50 Field Gendarmerie brought in fast motor vehicles to this illegal camp, closed it down and had the men that ran it sent to Cologne for trial and punishment. In addition to that the Gestapo was formed under the direction of the Ministry of the Interior.

Q You forgot to tell us in what capacity you did this - that in the meantime you had received another position and had become a Leader in the SS also.

A On the 14th of April 1933, a few days before the Minister Goering was made Prime Minister of Prussia, I was made State Secretary of Prussia. Since

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I was completely unknown in political circles and to the population, in order that I would become a better known figure in the circles of the SA and SS, Chief of Staff Roehm offered me the rank of an Oberfuehrer in the SS even though I was not a member of the Party.

Q Would you please tell us also whether you are a professional civil service employee, that is a permanent civil service employee, and whether you are a trained lawyer.

A Yes, I am completely trained in law practices. I was State Attorney in the Prussia Justice Administration and then went into the Ministry and was appointed Ministerial Director.

Q Did Himmler at that time, as one of the leaders of the SS, do any building up of the political police?

A At that time Himmler, like all the other SA and SS Gruppenfuehrers became president of the police in Munich and he created there political police which he then turned over to Heydrich. I do not know what his rank was at that time. He became political commandeur in Bavaria and in 1933 he became political commandeur in all other states, with the exception of Prussia.

Q When the Gestapo was organized in 1933 was this office at that time or later on manned largely by SA and SS members?

DR. KEMPNER: Isn't that form of questioning a little too leading?

CAPTAIN TUBRIDY: I don't ~~see that it is~~ think it particularly harmful. You may continue Dr. Pelckmann.

DR. PELCKMAN: I can ask this question differently.

CAPTAIN TUBRIDY: No, it is all right. Please continue.

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A At that time when the Gestapo was organized in Prussia, (the only Gestapo office I can give any information about,) the Gestapo was not, like the Order Police, manned to a large extent with members of the SS or SS in administrative and executive positions. At that time the Chief was Oberregierungsrat and later on Ministerialrat Daluege, whom I had already met in the Ministry. The administrative personnel came from the Prussian administration and the executive personnel from the Prussian General Police. I believe that there was a wrong impression given to the outside, due to the fact that in order to aid the unemployment within the SA and SS, members of the SA and SS were taken into lower jobs in the Gestapo, just as they were taken into all other administrative or official posts.

Q Was the reason for this usage of personnel the fact that now the work of the SA and SS had ceased?

A I already stated that it was the terrific unemployment within that was the main reason for the hiring of these persons in order to aid them or in order to relieve the huge unemployment. That was the opinion of both Roehm and the government circles and that is why, whenever any of the lower posts became vacant, that we saw to it that [redacted] members of the SA or SS received these positions.

Q What did you, as SS Leader and State Secretary in the Prussian Ministry of the Interior, hear about the occurrences on the 30th of June 1934? Did you believe that it was murder or did you believe that in order to execute criminal elements the State had acted very subtly and decisively?

A On the morning of the 30th of June I came to my office without having known anything about the occurrences or the preparations. At that time my Police Chief Daluege told me that Roehm had planned a putsch and that

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Hitler, as Chief of the Party and also as President of the State, had put himself in charge of throwing down or of preventing this putsch and that Goering was in charge of the Berlin Area at that time. He also told me that the SA Gruppenfuehrers Heines, Ernst and von Heidebreck had been executed after a regular court martial proceeding according to Party Martial Law Decrees. I immediately went to Goering to receive more details. Goering verified the report of Daluege and he also told me that Roehm and other SA Gruppenfuehrers had been executed. He also told me that General Schleicher and his wife had been shot due to resisting arrest. It was an act of high treason and evidently Roehm and other SA Gruppenfuehrers had conspired to overthrow Hitler and to create a Peoples' Army. I was at the beginning very surprised concerning this explanation since I had so successfully worked together with Roehm in 1933 and the beginning of 1934. However I became thoughtful when I remembered some chance remarks, for instance like that of Gruppenfuehrer Ernst concerning the fact that the SA would have to be in charge of the highest military positions. I also had not had any close relations with Roehm in the last few months since he had become Reichsminister without portfolio and for liaison SA Gruppenfuehrer von Detten was active - a man whom I knew personally very well from my home. Goering told me to return to the Ministry of the Interior and await further orders there just in case that it would be necessary to use the Order Police. In the afternoon at 2:00 o'clock he called me, telling me that the putsch had been prevented and that law and order had been returned. I was informed in detail that evening by my section chief...

CAPTAIN TUBRIDY: May I ask, Dr. Pelckmann, how you intend to have this testimony prove non criminal acts of the SS? [redacted] It seems

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he is giving a personal history in connection with this past history of the SA and while it is very interesting I don't see where it is really helping us here.

DR. PELCKMANN: One of the main points of the Prosecution against the SS is the shooting of the Roehm Putsch members on the 30th of June and the following days. In the speech of the 19th of December the Prosecution stated quite generally that after 1933 it was the duty of the SS to prevent and to exterminate any interior enemies. I want to point out through this witness that even in such a very high state position he believes that it was a regular act of the State and its executives and that of the SS. I want also to state, as far as the actual execution was concerned, a witness has been approved by the commission and he will be called in the next few days. But this witness is explaining the happenings from a different point of view - that is, what did the high governmental and SS officials know about the criminality or non-criminality of these occurrences.

LT. HARRIS: The Indictment charges the leaders of the Nazi State with conspiring to commit crimes and whether murders were carried out at the direction of the officials of the State who are under indictment here or by other persons is wholly immaterial. It certainly is admitted that Goering and Hitler directed that these murders be committed and that the killings were planned murders. It seems to me the only question is whether the SS is an organization that participated in the carrying out of the murders.

CAPTAIN TUBRIDY: Dr. Pelckmann, let us not ~~continue burdening~~ burden the record with these disagreements. In the first place we might eliminate the personal details that he gives in connection with these various things that occurred at that time. Couldn't you have him direct his testimony more to disproving what has been charged by the Prosecution rather than this more

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or less historical narrative testimony we have been getting?

DR. PELCKMANN: No, I cannot. It is not possible for me to limit the witness's testimony, ~~to~~ what he is going to say, to that extent because it is especially through these statements of the witness, which are not statements by or for the main criminals who have been proved to have been behind these murders, but he is making this testimony for the Organization which is supposed to have carried them out. Under the word "murder" we understand a willful killing against the law and I want to prove that even in the Ministry there was no indication that these murders were against the law but rather within and according to law. With that testimony I want to prove that the large masses of the SS did not know the background and the real reasons behind these murders and therefore could not know that they were actually murders and against the law

CAPTAIN TUBRIDY: All right. We will continue to let the witness testify.

BY DR. PELCKMANN:

Q Witness, you stated that you had received the order to remain in the Ministry of the Interior to await further orders. Please continue.

A I also stated that my Ministerial Director and Chief of my Police came to me that same evening and he told me that the Regular-SS had been mobilized in all of Prussia in military barracks, where those were available and also in police barracks but without any weapons and without having gone into action. The executions, according to him, were carried out by the Leibstandarte both in Berlin and in Munich. The next day the truth leaked out that more persons had been shot than I had heard of. Various government presidents told me the next day that various state attornies had started

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proceedings against unknown murderers. On the 3rd of July that famous decree was issued according to which some of the shootings which were carried out outside of the so-called State necessity or State Martial Law at that time were explained and justified. I don't remember the exact wording of that decree so I can give only my general impression. I remember at the time that this order was issued Hitler made a speech in which he declared that the crimes which had been committed under the cover of this action would be punished by the regular courts. I knew that the Minister of Justice was concerning himself with this action and also that due to the fact that two very close co-workers of the Reichs Chancellor von Papen had been shot at that time I supposed that he too would see that this was carried out; I, as a person who did not have any direct jurisdiction concerning this case, did not concern myself any more.

Q Do you also remember that Hitler stated about the same time, I believe it was in the same speech, that the revolution was now finished?

A I do not remember ~~xxx~~ or know about that but I do know that due to the fact that the three SA Gruppenfuehrers who had caused me the most trouble within Prussia, that is Heines, Ernst and von Heidebreck, that I was very glad that they were not among the living any more.

Q Do you know ~~xx~~ or would you say whether or not the duties of the SA and SS now left the revolution matters and turned its attention to other matters?

A After the 30th of June the Chief President (Ober-President) under my administration in Hanover, Lutze, was made Chief of Staff of the SA. ~~I~~ At the same time the SS was taken out from the SA and put under the command of Himmler and the motor squads of the SA were put on an equal basis with the SS

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under the Leader Huehnlein and became known as the NSKK. I was very sorry at the time because I had known Lutze and his work for a long time and I thought that he would have been able to take care of these organizations himself to the best interest of the Reich. The reason for the dissolution of this one unit into three smaller ones was, in my opinion, the fact that Hitler wanted to remove the power of the once /powerful SA from one leadership. He wanted to divide its power as he did later on, again and again.

Q Witness, please make it shorter and tell me what now were the goals and duties of the organizations of the party, especially of the SS and SA.

LT. HARRIS: Just a minute. I am going to object that this witness is rather inclined to take a long time in his answers. I don't think we are concerned here with the goals and objectives of all the sections of the Party. We are concerned with the SS.

DR. PELCKMANN: I meant, of course, the SA and SS and of course also said that by saying especially of the SS and SA.

CAPTAIN TUBRIDY: Hasn't this been covered before, Dr. Pelckmann?

DR. PELCKMANN: No, I don't think so.

CAPTAIN TUBRIDY: I believe a day and a half were spent on the goals and activities by Dr. Koessl, when we first began these proceedings.

DR. PELCKMANN: Not as far as the Allgemeine or Regular-SS was concerned.

CAPTAIN TUBRIDY: Will you make it brief, please?

BY DR. PELCKMANN:

A It was the duty then of the SS to solve the duties given the Racial and Settlement Sections of the government, that is, to bring about a solution to the settlement question by a re-settlement of population from the city [redacted] to the country and to solve the racial question by creating a racial [redacted]

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corps that was supposed to take care of this settlement. For that reason there was close cooperation between the SS and the peasant leaders for which reason some peasant leaders were made honorary SS members and some farming experts were given the posts of porters among the SS units.

Q What other reason did you have at that time not to consider the SS a criminal organization but just an elite of all occupations which just could not be a criminal organization?

A Himmler at that time named a large number of men from industry, science, government and medical circles as honorary SS Leaders without regarding their political activity or membership at the present, only considering their occupational activity. The main differences at that time between him and the leaders of the other organizations was that he considered the social standing of these people very important and also that he created a sort of honor system which was very close to the old honor system concerning for instance dueling and so on.

DR. KEMPNER: I am going to object that this is completely irrelevant that because somebody is of high social standing he may not be criminal. These are only implications. I don't know how you can prove that somebody who could use swords, or somebody of high social standards, is not a criminal.

CAPTAIN TUBRIDY: Dr. Pelckmann, how many questions do you still have for this witness?

DR. PELCKMANN: About four more questions.

CAPTAIN TUBRIDY: How much more time will you require?

DR. PELCKMANN: About forty-five minutes.

CAPTAIN TUBRIDY: I wonder if you cannot cut that time down a bit in view of the ~~shortness~~ limited of time. I wish you would give a little thought to

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seeing if we cannot eliminate some of the testimony of the witness, - it really doesn't have a great deal of weight - so that we can get on to the other witnesses next week.

DR. PELCKMANN: With the exception of the last two answers the witness was a little too explicit but otherwise it was necessary for him to say all that he did.

CAPTAIN TUBRIDY: That's the point exactly, I think you have summed it up. We will adjourn now.

(The Commission adjourned until 1 July 1946 at 1000 hours.)

The Commission adjourned at 1300

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The foregoing is a true and correct transcript of the testimony of LUDWIG GRA UERT, taken on 29 June 194 6.

Mabel A. Lesser
Reporter (pp 1-14

CERTIFIED TO :

Joseph F Tubridy
Commissioner

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(The witness repeated the oath.)

THE COMMISSIONER: You may be seated.

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CAPTAIN TUBRIDY: Dr. Pelckmann, before we start, is there going to be any real essential difference between what has been shown by theProsecution and what you intend to show in connection with the relationship between the SS, the SD and the Gestapo?

DR. PELCKMANN: I want to prove that the Allgemeine or Regular SS did not have any connection with the SD and Gestapo such as is maintained by the Prosecution. I want to prove that at least as far as the time is concerned when the witness was active.

CAPTAIN TUBRIDY: Very well.

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DIRECT EXAMINATION

BY DR. PELCKMANN:

Q Witness, what was your position in the Prussian Ministry of the Interior, when did you receive it and how did you receive it?

A After Hitler had formed the Government there was a constant friction between the various guard organizations and the various parties, especially between the SA and SS on one hand and on the other hand the Rodtfront and the Reichsbanner. The reason for this was the forbidding or prohibiting of the SA and also, in 1934, the voting thereafter. In the first half of February 1933 I was given a job of bringing about law and order again and was given a position as Chief of Police in the Prussian Ministry of the Interior and also given the rank of Ministerial Director.

Q Was the SS and SA prohibited in the Weimar Republic and how long?

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DR. PELCKMANN: I only want to point out that this witness saw it from another point of view, a point which has been accepted in discussions among

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BY DR. PELCKMANN:

Q Were any criminal actions by the SA and possibly by the SS during the year 1933 until June 1934 the result of criminal goals of the organization and upon the orders of their superiors.

A No.

Q What were the reasons according to the experience you had at that time?

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Q You forgot to tell us in what capacity you did this - that in the meantime you had received another position and had become a Leader in the SS also.

A On the 14th of April 1933, a few days before the Minister Goering was made Prime Minister of Prussia, I was made State Secretary of Prussia.



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Since I was completely unknown in political circles and to the population, in order that I would become a better known figure in the circles of the SA and SS, Chief of Staff Roehm offered me the rank of an Oberfuehrer in the SS even though I was not a member of the Party.

Q Would you please tell us also whether you are a professional civil service employee, that is a permanent civil service employee, and whether you are a trained lawyer.

A Yes, I am completely trained in law practices. I was State Attorney in the Prussia Justice Administration and then went into the Ministry and was appointed Ministerial Director.

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CAPTAIN TUBRIDY: I don't think its particularly harmful.

You may continue, Dr. Polckmann.

DR. PELCKMANN: I can ask this question differently.

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into all other administrative or official posts.

Q Was the reason for this usage of personnel the fact that now the work of the SA and SS had ceased?

A I already stated that it was the terrific unemployment within that was the main reason for the hiring of these persons in order to aid them or in order to relieve the huge unemployment. That was the opinion of both Roehm and the government circles and that is why, whenever any of the lower posts became vacant, that we saw to it that members of the SA or SS received these positions.

Q What did you, as SS Leader and State Secretary in the Prussian Ministry of the Interior, hear about the occurrences on the 30th of June 1934? Did you believe that it was murder or did you believe that in order to execute criminal elements the State had acted very subtly and decisively?

A On the morning of the 30th of June I came to my office without having known anything about the occurrences or the preparations. At that time my Police Chief Daluege told me that Roehm had planned a putsch and that

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Hitler, as Chief of the Party and also as President of the State, had put himself in charge of throwing down or of preventing this putsch and that Goering was in charge of the Berlin Area at that time. He also told me that the SA Gruppenfuehrers Heines, Ernst and von Heidebreck had been executed after a regular court martial proceeding according to Party Martial Law Decrees. I immediately went to Goering to receive more details. Goering verified the report of Daluege and he also told me that Roehm and other SA Gruppenfuehrers had been executed. He also told me that General Schleicher and his wife had been shot due to resisting arrest. It was an act of high treason and evidently Roehm and other SA Gruppenfuehrers had conspired to overthrow Hitler and to create a Peoples' Army. I was at the beginning very surprised concerning this explanation since I had so successfully worked together with Roehm in 1933 and the beginning of 1934. However I became thoughtful when I remembered some chance remarks, for instance like that of Gruppenfuehrer Ernst concerning the fact that the SA would have to be in charge of the highest military positions. I also had not had any close relations with Roehm in the last few months since he had become Reichsminister without portfolio and for liaison SA Gruppenfuehrer von Detten was active -- a man whom I knew personally very well from my home. Goering told me to return to the Ministry of the Interior and await further orders there just in case that it would be necessary to use the Order Police. In the afternoon at 2:00 o'clock he called me, telling me that the putsch had been prevented and that law and order had been returned. I was informed in detail that evening by my section chief.....

CAPTAIN TUBRIDY: May I ask, Dr. Pelckmann, how you intend to have this testimony prove non-criminal acts of the SS? It seems he is giving a personal history in connection with this past history of the SA and while it is very interesting I don't see where it is really helping us here.

DR. PELCKMANN: One of the main points of the Prosecution against the SS is the shooting of the Roehm Putsch members on the 30th of June and the following days. In the speech of the 19th of December the Prosecution stated quite generally that after 1933 it was the duty of the SS to prevent and to exterminate any interior enemies. I want to point out through this witness that

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even in such a very high state position he believes that it was a regular act of the State and its executives and that of the SS. I want also to state, as far as the actual execution was concerned, a witness has been approved by the commission and he will be called in the next few days. But this witness is explaining the happenings from a different point of view -- that is, what did the high governmental and SS officials know about the criminality or non-criminality of these occurrences.

LT. HARRIS: The Indictment charges the leaders of the Nazi State with conspiring to commit crimes and whether murders were carried out at the direction of the officials of the State who are nder indictment here or by other persons is wholly immaterial. It certain is admitted that Goering and Hitler directed that these murders be committed and that the killings were planned murders. It seems to me the only question is whether the SS is an organization that participated in the carrying out of the murders.

CAPTAIN TUBRIDY: Dr. Pelckmann, let us not burden the record with these disagreements. In the first place we might eliminate the personal details that he gives in connection with these various things that occurred at that time. Couldn't you have him direct his testimony more to disproving what has been charged by the Prosecution rather than this more or less historical narrative testimony we have been getting?

DR. PEICKMANN: No, I cannot. It is not possible for me to limit the witness's testimony, what he is going to say, to that extent because it is especially through these statements of the witness, which are not statements by or for the main criminals who have been proved to have been behind these murders, but he is making this testimony for the Organization which is supposed to have carried them out. Under the word "murder" we understand a willful killing against the law and I want to prove that even in the Ministry there was no indication that these murders were against the law but rather within and according to law. With that testimony I want to prove that the large masses of the SS did not know the background and the real reasons behind these murders and therefore could not know that they were actually murders and against the law.

CAPTAIN TUBRIDY: All right. We will continue to let the witness

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testify.

BY DR. PELCKMANN:

Q Witness, you stated that you had received the order to remain in the Ministry of the Interior to await further orders. Please continue.

A I also stated that my Ministerial Director and Chief of my Police came to me that same evening and he told me that the Regular-SS had been mobilized in all of Prussia in military barracks, where those were available and also in police barracks but without any weapons and without having gone into action. The executions, according to him, were carried out by the Leibstandarte both in Berlin and in Munich. The next day the truth leaked out that more persons had been shot than I had heard of. Various government presidents told me the next day that various state attornies had started proceedings against unknown murderers. On the 3rd of July that famous decree was issued according to which some of the shootings which were carried out outside of the so-called State necessity or State Martial Law at that time were explained and justified. I don't remember the exact wording of the decree so I can give only my general impression. I remember at the time that this order was issued Hitler made a speech in which he declared that the crimes which had been committed under the cover of this action would be punished by the regular courts. I knew that the Minister of Justice was concerning himself with this action and also that due to the fact that two very close co-workers of the Reichs Chancellor von Papen had been shot at that time I supposed that he too would see that this was carried out; I, as a person who did not have any direct jurisdiction concerning this case, did not concern myself any more.

Q Do you also remember that Hitler stated about the same time, I believe it was in the same speech, that the revolution was now finished?

A I do not remember or know about that but I do know that due to the fact that the three SA Gruppenfuehrers who had caused me the most trouble within Prussia, that is Heines, Ernst and von Heidebreck, that I was very glad that they were not among the living any more.

Q Do you know or would you say whether or not the duties of the SA and SS now left the revolution matters and turned its attention to other matters?

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A After the 30th of June the Chief President (Ober-President) under my administration in Hanover, Lutze, was made Chief of Staff of the SA. At the same time the SS was taken out from the SA and put under the command of Himmler and the motor squads of the SA were put on an equal basis with the SS under the Leader Huchnlein and became known as the NSKK. I was very sorry at the time because I had known Lutze and his work for a long time and I thought that he would have been able to take care of these organizations himself to the best interest of the Reich. The reason for the dissolution of this one unit into three smaller ones was, in my opinion, the fact that Hitler wanted to remove the power of the once powerful SA from one leadership. He wanted to divide its power as he did later on, again and again.

Q Witness, please make it shorter and tell me what now were the goals and duties of the organizations of the party, especially of the SS and SA.

LT. HARRIS: Just a minute. I am going to object that this witness is rather inclined to take a long time in his answers. I don't think we are concerned here with the goals and objectives of all the sections of the Party. We are concerned with the SS.

DR. PELCKMANN: I meant, of course, the SA and SS and of course also said that by saying especially of the SS and SA.

CAPTAIN TUBRIDY: Hasn't this been covered before, Dr. Pelckmann?

DR. PELCKMANN: No, I don't think so.

CAPTAIN TUBRIDY: I believe a day and a half were spent on the goals and activities by Dr. Koessl, when we first began these proceedings.

DR. PELCKMANN: Not as far as the Allgemeine or Regular-SS was concerned.

CAPTAIN TUBRIDY: Will you make it brief, please?

BY DR. PELCKMANN:

A It was the duty then of the SS to solve the duties given the Racial and Settlement Sections of the government, that is, to bring about a solution to the settlement question by a re-settlement of population from the city to the country and to solve the racial question by creating a racial corps that was supposed to take care of this settlement. For that reason there was close cooperation between the SS and the peasant leaders for which reason some

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peasant leaders were made honorary SS members and some farming experts were given the posts of porters among the SS units.

Q What other reason did you have at that time not to consider the SS a criminal organization but just an elite of all occupations which just could not be a criminal organization?

A Himmler at that time named a large number of men from industry, science, government and medical circles as honorary SS leaders without regarding their political activity or membership at the present, only considerint their occupational activity. The main differences at that time between him and the leaders of the other organizations was that he considered the social standing of these people very important and also that he created a sort of honor system which was very close to the old honor system concernint for instance dueling and so on.

(The Commission adjourned until 1 July 1946 at 1000 hours.)

The foregoing is a true and correct transcript of the testimony of LUDWIG GRAUERT, taken on 29 June 1946.

MABEL A. IESSER
Reporter

CERTIFIED TO:

JOSEPH F. TUBRIDY
Commissioner